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APR 25 2006

OFFICE OF PETITIONS

In re Application of
KORCHAGIN et al.
Application No. 10/663,260
Filed: September 16, 2003
Attorney Docket No. 2003-10.VBT

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A review of this application indicates that Muriel Ciprian (Ciprian) has filed numerous papers with the United States Patent and Trademark Office related to the above-identified application. These papers include:

- 1) a Notice of Entry of Appearance As Attorney or Representative (Form G-28 of the Immigration and Naturalization Service) for Pavel Korchagin identifying Ciprian as a member of good standing with the highest court of New York filed on September 16, 2003 and under Ciprian's signature;
- 2) a transmittal letter, an application, an Application Data Sheet, and a small entity status claim identifying Ciprian as the attorney for the above-identified application filed on September 16, 2003 and under Ciprian's signature;
- 3) a Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i) (Form PTO/SB/35) filed on September 16, 2003 and under Ciprian's signature;
- 4) a declaration and substitute specification filed on February 3, 2004 and under Ciprian's signature; and
- 5) a request for rescission of the non-publication request, indicating authorization to act on behalf of the inventors, filed on August 31, 2004 and under Ciprian's signature.

A review of this application further indicates that Vladmir Bararushkin (Bararushkin) on behalf of V.B. Tantal, a Legal, Financial and Translating Company, filed at least one paper with the United States Patent and Trademark Office related to the above-identified application. This paper includes:

A) a request for a three-month extension of time filed on June 12, 2004 and under Bararushkin's signature.

Applicants may be represented by a registered practitioner or other individual authorized to practice before the United States Patent and Trademark Office in patent matters. See 37 C.F.R. § 1.31. While Ciprian is a member of the New York state bar (Registration No. 2878387), our records indicate that neither Ciprian nor Bararushkin is registered to practice before the United States Patent and Trademark Office or has been given limited recognition by the OED Director to prosecute as attorney or agent the above-identified application. Your attention is directed to the provisions of 35 U.S.C. § 33.

Additionally, an applicant for patent may file and prosecute his or her own case. See 37 C.F.R. § 1.31. There is no record that Ciprian is an inventor of the above-identified application. While Bararushkin is a joint inventor of the above-identified application, there is no record that the other joint inventors have given him power of attorney. See the Manual of Patent Examining Procedure, Chapter 402.01.

37 C.F.R. § 1.213(b)(3) states a request to rescind a non-publication request must be signed in compliance with 37 C.F.R. § 1.33(b). 37 C.F.R. § 1.33(b) lists authorized parties who can sign amendments and other papers in a patent application. Based on Office records, Ciprian is not one of the authorized parties included in 37 C.F.R. § 1.33(b).

37 C.F.R. § 1.27(c)(2) states an assertion of small entity status must be made by one of the parties identified in 37 C.F.R. § 1.33(b). As stated above based on Office records, Ciprian is not one of the authorized parties included in 37 C.F.R. § 1.33(b).

Based on the above information, Ciprian and Bararushkin are advised that any further communications signed by either or both of them will simply be placed in the above-identified application, and no further action will be taken thereupon.

If our records are in error, please promptly notify the Office.

A handwritten signature in black ink, appearing to read "Brian Hearn", with a stylized flourish at the end.

Brian Hearn
Petitions Examiner
Office of Petitions